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(3) FISH & RICHARDSON 6175428906

NO. 0320 P. 1

Attorney's Docket No.: 12774-002001

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Number of pages including this page 3

Applicant : Ching-Hsaing Hsu et al. Art Unit : 1632
Serial No. : 09/778,672 Examiner : Qian J. Li
Filed : February 7, 2001

Title : LIVE VACCINES FOR ALLERGY TREATMENT

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is **STATEMENT OF
SUBSTANCE OF INTERVIEW OF APRIL 21, 2005**, faxed this 25th day of May, 2005, to the
United States Patent and Trademark Office.

Respectfully submitted,

Jianming Hao
Reg. No. 54,694

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(3) FISH & RICHARDSON 6175428906

NO. 0320 P. 2

Attorney's Docket No.: 12774-002001

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STATEMENT OF SUBSTANCE OF INTERVIEW OF APRIL 21, 2005

Applicants would like to thank the Examiner and the Supervisory Examiner for granting a telephone interview on April 21, 2005, regarding this application.

During the interview, Applicants' counsel, Y. Rocky Tsao (Reg. No. 34,058) and Jianming Hao (Reg. No. 54,694), discussed independent claim 24. This claim, rejected for obviousness, is drawn to a method of decreasing the production of IgE in a subject exposed to a dust mite allergen. The method includes orally administering to a subject a non-pathogenic Gram-positive bacterium that contains a nucleotide sequence encoding a dust mite allergen; and expressing the allergen in the bacterium. Applicants' counsel explained that one skilled in the art would have neither motivation nor reasonable expectation of success to combine four prior art references cited by the Examiner. Attached hereto as "Exhibit A" is a copy of a letter sent to the Examiner before the interview. It summarizes the issues that were discussed in the interview.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

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NO. 0320 P. 3

Applicant : Ching-Hsaing Hsu et al.
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Page : 2 of 2

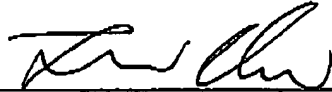
Attorney's Docket No.: 12774-002001

The Examiners acknowledged the explanation and agreed to reconsider this case. The Supervisory Examiner further requested that additional supporting evidence be submitted. Applicants agreed.

Please apply any charges to deposit account 06-1050.

Respectfully submitted,

Date: 5-25-2005


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